



# KING COUNTY

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

## Signature Report

May 9, 2018

### Ordinance 18727

**Proposed No.** 2018-0138.2

**Sponsors** Balducci

1 AN ORDINANCE relating to standardizing benefits that  
2 were bargained in the Master Labor Agreement; amending  
3 Ordinance 12014, Section 5, as amended, and K.C.C.  
4 3.12.010, Ordinance 12014, Section 7, as amended, and  
5 K.C.C. 3.12.040, Ordinance 12014, Section 14, and K.C.C.  
6 3.12.110, Ordinance 12014, Section 19, as amended, and  
7 K.C.C. 3.12.190, Ordinance 4324, Section 27, as amended,  
8 and K.C.C. 3.12.210, Ordinance 18408, Section 2, as  
9 amended, and K.C.C. 3.12.219, Ordinance 12014, Section  
10 21, as amended, and K.C.C. 3.12.220, Ordinance 15558,  
11 Section 2, as amended, and K.C.C. 3.12.222, Ordinance  
12 12014, Section 22, as amended, and K.C.C. 3.12.223,  
13 Ordinance 13743, Section 1, as amended, and K.C.C.  
14 3.12.224, Ordinance 7956, Section 6, as amended, and  
15 K.C.C. 3.12.225, Ordinance 12014, Section 23, as  
16 amended, and K.C.C. 3.12.230, Ordinance 12077, Section  
17 5, as amended, and K.C.C. 3.12.240, Ordinance 12014,  
18 Section 25, as amended, and K.C.C. 3.12.250, Ordinance  
19 12498, Sections 1 and 4 through 7, as amended, and K.C.C.

20 3.12.335, Ordinance 12014, Section 50, as amended, and  
21 K.C.C. 3.15.020, Ordinance 12014, Section 52, as  
22 amended, and K.C.C. 3.15.030, Ordinance 14233, Section  
23 6, as amended, and K.C.C. 3.15.130 and Ordinance 14233,  
24 Section 7, as amended, and K.C.C. 3.15.140, adding a new  
25 section to K.C.C. chapter 3.15 and replacing Ordinance  
26 13743, Section 2, as amended, and K.C.C. 3.12.2245.

27 STATEMENT OF FACTS:

- 28 1. In October 2017, a tentative agreement for the county's first Master  
29 Labor Agreement ("MLA") was reached. The MLA achieves  
30 unprecedented efficiencies by bringing together twenty-one unions, which  
31 represent six thousand employees covered by sixty-one labor agreements,  
32 into one master collective bargaining agreement that governs many of the  
33 terms and conditions of county employment.
- 34 2. The MLA will ease the burden on county personnel of administering  
35 sixty-one different collective bargaining agreements, and will bring  
36 greater equity to county employees by standardizing many common  
37 benefits and practices.
- 38 3. Standardization between the MLA and the King County Code furthers  
39 these achievements and supports King County's Strategic Plan goal of  
40 ensuring that county government operates efficiently and effectively.

41 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

42 SECTION 1. Ordinance 12014, Section 5, as amended, and K.C.C.

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43 3.12.010 are each hereby amended to read as follows:

44 For the purposes of this chapter, all words shall have their ordinary  
45 and usual meanings except those defined in this section which shall have,  
46 in addition, the following meanings. In the event of conflict, the specific  
47 definitions set forth in this section shall presumptively, but not  
48 conclusively, prevail.

49 A.1. "Administrative interns" means employees who are:

50 a. enrolled during the regular school year in a program of  
51 education, internship or apprenticeship;

52 b. legal interns who have graduated from law school but have not  
53 yet been admitted to the Washington State Bar Association; or

54 c. veterans temporarily working to gain practical workforce  
55 experience.

56 2. All administrative internships in executive departments shall be  
57 approved by the manager. Administrative interns are exempt from the  
58 career service under Section 550 of the charter.

59 B. "AmeriCorps" means those who apply for and are selected to serve  
60 in positions at King County government through either AmeriCorps or  
61 Washington Service Corps programs, or both.

62 C. "Appointing authority" means the county council, the executive,  
63 chief officers of executive departments and administrative offices, or  
64 division managers having authority to appoint or to remove persons from  
65 positions in the county service.

66 D. "Basis of merit" means the value, excellence or superior quality of  
67 an individual's work performance, as determined by a structured process  
68 comparing the employee's performance against defined standards and,  
69 where possible, the performance of other employees of the same or similar  
70 class.

71 E. "Board" means the county personnel board established by Section  
72 540 of the charter.

73 F. "Budgetary furlough" means a circumstance in which projected  
74 county revenues are determined to be insufficient to fully fund county  
75 agency operations and, in order either to achieve budget savings or to meet  
76 unallocated budget reductions, which are commonly known as contras, or  
77 both, cost savings may be achieved through reduction in days or hours of  
78 service, resulting in placing an employee for one or more days in a  
79 temporary furlough status without duties and without pay.

80 G. "Career service employee" means a county employee appointed to  
81 a career service position as a result of the selection procedure provided for  
82 in this chapter, and who has completed the probationary period.

83 H. "Career service position" means all positions in the county service  
84 except for those that are designated by Section 550 of the charter as  
85 follows: all elected officers; the county auditor, the clerk and all other  
86 employees of the county council; the county administrative officer; the  
87 chief officer of each executive department and administrative office; the  
88 members of all boards and commissions; the chief economist and other

89 employees of the office economic and financial analysis; the chief  
90 economist and other employees of the office of economic and financial  
91 analysis; administrative assistants for the executive and one administrative  
92 assistant each for the county administrative officer, the county auditor, the  
93 county assessor, the chief officer of each executive department and  
94 administrative office and for each board and commission; a chief deputy  
95 for the county assessor; one confidential secretary each for the executive,  
96 the chief officer of each executive department and administrative office,  
97 and for each administrative assistant specified in this section; all  
98 employees of those officers who are exempted from the provisions of this  
99 chapter by the state constitution; persons employed in a professional or  
100 scientific capacity to conduct a special inquiry, investigation or  
101 examination; part-time and temporary employees; administrative interns;  
102 election precinct officials; all persons serving the county without  
103 compensation; physicians; surgeons; dentists; medical interns; and student  
104 nurses and inmates employed by county hospitals, tuberculosis  
105 sanitariums and health departments of the county.

106 Divisions in executive departments and administrative offices as  
107 determined by the county council shall be considered to be executive  
108 departments for the purpose of determining the applicability of Section  
109 550 of the charter.

110 All part-time employees shall be exempted from career service  
111 membership except, all part-time employees employed at least half time or

112 more, as defined by ordinance, shall be members of the career service.

113 I. "Charter" means the King County Charter, as amended.

114 J. "Child" means a biological, adopted or foster child, a stepchild, a  
115 legal ward or a child of an employee standing in loco parentis to the child,  
116 who is:

117 1. Under eighteen years of age; or

118 2. Eighteen years of age or older and incapable of self care because  
119 of a mental or physical disability.

120 K. "Class" or "classification" means a position or group of positions,  
121 established under authority of this chapter, sufficiently similar in respect  
122 to the duties, responsibilities and authority thereof, that the same  
123 descriptive title may be used to designate each position allocated to the  
124 class.

125 L. "Classification plan" means the arrangement of positions into  
126 classifications together with specifications describing each classification.

127 M. "Compensatory time" means time off granted with pay in lieu of  
128 pay for work performed either on an authorized overtime basis or work  
129 performed on a holiday that is normally scheduled as a day off. Such  
130 compensatory time shall be granted on the basis of time and one-half.

131 N. "Competitive employment" means a position established in the  
132 county budget and that requires at least twenty-six weeks of service per  
133 year as the work schedule established for the position.

134 O. "Comprehensive leave benefits" means those leave benefits

135 described in and subject to this chapter, including leaves for vacations,  
136 promotional or qualifying examinations, bereavement, life-giving or life-  
137 saving procedures, sickness, (~~volunteering at schools~~) volunteer service,  
138 parental leave, donated leave and leaves of absence without pay.

139 P. "Council" means the county council as established by Article 2 of  
140 the charter.

141 Q. "County" means King County and any other organization that is  
142 legally governed by the county with respect to personnel matters.

143 R. "Developmental disability" means a developmental disability, as  
144 defined in RCW 71A.10.020(2), as amended, attributable to mental  
145 retardation, cerebral palsy, epilepsy, autism or other neurological or other  
146 condition of an individual found by the secretary of the Washington state  
147 Department of Social and Health Services or the secretary's designee to be  
148 closely related to mental retardation or to require treatment similar to that  
149 required for individuals with mental retardation, which disability  
150 originates before the individual attains age eighteen, that has continued or  
151 can be expected to continue indefinitely and that constitutes a substantial  
152 handicap for the individual.

153 S. "Direct cost" means the cost aggregate of the actual weighted  
154 average cost of insured benefits, less any administrative cost therefor.  
155 Any payments to part-time and temporary employees under this chapter  
156 shall not include any administrative overhead charges applicable to  
157 administrative offices and executive departments.

158 T. "Director" means the manager of the human resources  
159 management division or its successor agency.

160 U. "Division" means the human resources management division or its  
161 successor agency.

162 V. "Domestic partners" are two people in a domestic partnership, one  
163 of whom is a county employee.

164 W. "Domestic partnership" is a relationship whereby two people:

- 165 1. Have a close personal relationship;
- 166 2. Are each other's sole domestic partner and are responsible for  
167 each other's common welfare;
- 168 3. Share the same regular and permanent residence;
- 169 4. Are jointly responsible for basic living expenses which means the  
170 cost of basic food, shelter and any other expenses of a domestic partner  
171 that are paid at least in part by a program or benefit for which the partner  
172 qualified because of the domestic partnership. The individuals need not  
173 contribute equally or jointly to the cost of these expenses as long as they  
174 agree that both are responsible for the cost;
- 175 5. Are not married to anyone;
- 176 6. Are each eighteen years of age or older;
- 177 7. Are not related by blood closer than would bar marriage in the  
178 state of Washington;
- 179 8. Were mentally competent to consent to contract when the  
180 domestic partnership began.

181 X. "Employed at least half time or more" means employed in a  
182 regular position that has an established work schedule of not less than one-  
183 half the number of hours of the full-time positions in the work unit in  
184 which the employee is assigned, or when viewed on a calendar year basis,  
185 nine hundred ten hours or more in a work unit in which a work week of  
186 more than thirty-five but less than forty hours is standard or one thousand  
187 forty hours or more in a work unit in which a forty hour work week is  
188 standard. If the standard work week hours within a work unit varies  
189 (employees working both thirty five and forty hours) the manager, in  
190 consultation with the department, is responsible for determining what hour  
191 threshold applies.

192 Y. "Employee" means any person who is employed in a career  
193 service position or exempt position.

194 Z. "Employees eligible for comprehensive leave benefits" means full-  
195 time regular, part-time regular, provisional, probationary and term-limited  
196 temporary employees.

197 AA. "Executive" means the county executive, as established by  
198 Article 3 of the charter.

199 BB. "Exempt employee" means an employee employed in a position  
200 that is not a career service position under Section 550 of the charter.  
201 Exempt employees serve at the pleasure of the appointing authority.

202 CC. "Exempt position" means any position excluded as a career  
203 service position by Section 550 of the charter. Exempt positions are

204 positions to which appointments may be made directly without a  
205 competitive hiring process.

206 DD. "Full-time regular employee" means an employee employed in a  
207 full-time regular position and, for full-time career service positions, is not  
208 serving a probationary period.

209 EE. "Full-time regular position" means a regular position that has an  
210 established work schedule of not less than thirty-five hours per week in  
211 those work units in which a thirty-five hour week is standard, or of not  
212 less than forty hours per week in those work units in which a forty-hour  
213 week is standard.

214 FF. "Furlough day" means a day for which an employee shall  
215 perform no work and shall receive no pay due to an emergency budget  
216 crisis necessitating emergency budget furloughs.

217 GG. "Furloughed employee" means an employee who is placed in a  
218 temporary status without duties and without pay due to a financial  
219 emergency necessitating budget reductions.

220 HH. "Grievance" means an issue raised by an employee relating to  
221 the interpretation of rights, benefits, or condition of employment as  
222 contained in either the administrative rules or procedures, or both, for the  
223 career service.

224 II. "Immediate family" means spouse, child, parent, son-in-law,  
225 daughter-in-law, grandparent, grandchild, sibling, domestic partner and  
226 the child, parent, sibling, grandparent or grandchild of the spouse or

227 domestic partner.

228 JJ. "Incentive increase" means an increase to an employee's base  
229 salary within the assigned pay range, based on demonstrated performance.

230 KK. "Insured benefits" means those insurance benefits described in  
231 and subject to this chapter, including medical, dental, life, disability and  
232 vision benefits.

233 LL. "Integrated work setting" means a work setting ~~((with no more~~  
234 ~~than eight persons with developmental disabilities or with the presence of~~  
235 ~~a sensory, mental or physical handicap as specified in K.C.C. 3.12.180.~~  
236 ~~This definition refers to all county offices, field locations and other work~~  
237 ~~sites at which supported employees work alongside employees who are~~  
238 ~~not persons with development disabilities employed in permanent county~~  
239 ~~positions)) in which the majority of people employed are individuals~~  
240 ~~without disabilities and wages are paid at minimum wage or better.~~

241 MM. "King County family and medical leave" means a leave of  
242 absence taken under K.C.C. 3.12.221.

243 NN. "Life-giving and life-saving procedures" means a medically-  
244 supervised procedure involving the testing, sampling, or donation of  
245 blood, organs, fluids, tissues and other human body components for the  
246 purposes of donation without compensation to a person for a medically  
247 necessary treatment.

248 OO. "Manager" means the manager of the human resources  
249 management division or its successor agency.

250 PP. "Marital status" means the presence or absence of a marital  
251 relationship and includes the status of married, separated, divorced,  
252 engaged, widowed, single or cohabiting.

253 QQ. "Part-time employee" means an employee employed in a part-  
254 time position. Under Section 550 of the charter, part-time employees are  
255 not members of the career service.

256 RR. "Part-time position" means an other than a regular position in  
257 which the part-time employee is employed less than half time, that is less  
258 than nine hundred ten hours in a calendar year in a work unit in which a  
259 thirty-five hour work week is standard or less than one thousand forty  
260 hours in a calendar year in a work unit in which a forty-hour work week is  
261 standard, except as provided elsewhere in this chapter. Where the  
262 standard work week falls between thirty-five and forty hours, the manager,  
263 in consultation with the department, is responsible for determining what  
264 hour threshold will apply. Part-time position excludes administrative  
265 intern.

266 SS. "Part-time regular employee" means an employee employed in a  
267 part-time regular position and, for part-time career service positions, is not  
268 serving a probationary period. Under Section 550 of the charter, such  
269 part-time regular employees are members of the career service.

270 TT. "Part-time regular position" means a regular position in which  
271 the part-time regular employee is employed for at least nine hundred ten  
272 hours but less than a full-time basis in a calendar year in a work unit in

273 which a thirty-five hour work week is standard or for at least one thousand  
274 forty hours but less than a full-time basis in a calendar year in a work unit  
275 in which a forty-hour work week is standard. Where the standard work  
276 week falls between thirty-five and forty hours, the manager, in  
277 consultation with the department, is responsible for determining what hour  
278 threshold will apply.

279 UU. "Pay plan" means a systematic schedule of numbered pay ranges  
280 with minimum, maximum and intermediate steps for each pay range, a  
281 schedule of assignment of each classification to a numbered pay range and  
282 rules for administration.

283 VV. "Pay range" means one or more pay rates representing the  
284 minimum, maximum and intermediate steps assigned to a classification.

285 WW. "Pay range adjustment" means the adjustment of the numbered  
286 pay range of a classification to another numbered pay range in the  
287 schedule based on a classification change, competitive pay data or other  
288 significant factors.

289 XX. "Personnel guidelines" means only those operational procedures  
290 promulgated by the manager necessary to implement personnel policies or  
291 requirements previously stipulated by ordinance or the charter. Such  
292 personnel guidelines shall be applicable only to employees assigned to  
293 executive departments and administrative agencies.

294 YY. "Position" means a group of current duties and responsibilities  
295 assigned by competent authority requiring the employment of one person.

296           ZZ. "Probationary employee" means an employee serving a  
297 probationary period in a regular career service. Probationary employees  
298 are temporary employees and excluded from career service under Section  
299 550 of the charter.

300           AAA. "Probationary period" means a period of time, as determined  
301 by the director, for assessing whether an individual is qualified for a career  
302 service position to which the employee has been newly appointed or has  
303 moved from another position, whether through promotion, demotion or  
304 transfer, except as provided in K.C.C. 3.12.100.

305           BBB. "Probationary period salary increase" means a within-range  
306 salary increase from one step to the next highest step upon satisfactory  
307 completion of the probationary period.

308           CCC. "Promotion" means the movement of an employee to a position  
309 in a classification having a higher maximum salary.

310           DDD. "Provisional appointment" means an appointment made in the  
311 absence of a list of candidates certified as qualified by the manager. Only  
312 the manager may authorize a provisional appointment. An appointment to  
313 this status is limited to six months.

314           EEE. "Provisional employee" means an employee serving by  
315 provisional appointment in a regular career service. Provisional  
316 employees are temporary employees and excluded from career service  
317 under Section 550 of the charter.

318           FFF. "Qualifying event" means the birth of the employee's child, the

319 employee's adoption of a child or the foster-to-adopt placement of a child  
320 with the employee.

321 GGG. "Recruiting step" means the first step of the salary range  
322 allocated to a class unless otherwise authorized by the executive.

323 HHH. "Regular position" means a position established in the county  
324 budget and identified within a budgetary unit's authorized full time  
325 equivalent (FTE) level as set out in the budget detail report.

326 III. "Salary or pay rate" means an individual dollar amount that is one  
327 of the steps in a pay range paid to an employee based on the classification  
328 of the position occupied.

329 JJJ. "Section" means an agency's budget unit comprised of a  
330 particular project program or line of business as described in the budget  
331 detail plan for the previous fiscal period as attached to the adopted  
332 appropriation ordinance or as modified by the most recent supplemental  
333 appropriations ordinance. This definition is not intended to create an  
334 organization structure for any agency.

335 KKK. "Serious health condition" means an illness or injury,  
336 impairment or physical or mental condition that involves one or more of  
337 the following:

338 1. An acute episode that requires more than three consecutive  
339 calendar days of incapacity and either multiple treatments by a licensed  
340 health care provider or at least one treatment plus follow-up care such as a  
341 course of prescription medication; and any subsequent treatment or period

342 of incapacity relating to the same condition;

343 2. A chronic ailment continuing over an extended period of time that  
344 requires periodic visits for treatment by a health care provider and that has  
345 the ability to cause either continuous or intermittent episodes of  
346 incapacity;

347 3. In-patient care in a hospital, hospice or residential medical care  
348 facility or related out-patient follow-up care;

349 4. An ailment requiring multiple medical interventions or treatments  
350 by a health care provider that, if not provided, would likely result in a  
351 period of incapacity for more than three consecutive calendar days;

352 5. A permanent or long-term ailment for which treatment might not  
353 be effective but that requires medical supervision by a health care  
354 provider; or

355 6. Any period of incapacity due to pregnancy or prenatal care.

356 LLL. "Short-term temporary employee" means a temporary employee  
357 who is employed in a short-term temporary position.

358 MMM. "Short-term temporary position" means a type of position in  
359 which a temporary employee works less than nine hundred ten hours in a  
360 calendar year in a work unit in which a thirty-five-hour work week is  
361 standard or less than one thousand forty hours in a calendar year in a work  
362 unit in which a forty-hour work week is standard. Where the standard  
363 work week falls between thirty-five and forty hours, the manager, in  
364 consultation with the department, is responsible for determining what hour

365 threshold will apply.

366 NNN. "Temporary employee" means an employee employed in a  
367 temporary position and in addition, includes an employee serving a  
368 probationary period or under provisional appointment. Under Section 550  
369 of the charter, temporary employees shall not be members of the career  
370 service.

371 OOO. "Temporary position" means a position that is not a regular  
372 position as defined in this chapter and excludes administrative intern.  
373 Temporary positions include both term-limited temporary and short-term  
374 temporary positions.

375 PPP. "Term-limited temporary employee" means a temporary  
376 employee who is employed in a term-limited temporary position. Term-  
377 limited temporary employees are not members of the career service.  
378 Term-limited temporary employees may not be employed in term-limited  
379 temporary positions longer than three years beyond the date of hire, except  
380 that for grant-funded projects capital improvement projects and  
381 information systems technology projects the maximum period may be  
382 extended up to five years upon approval of the manager. The manager  
383 shall maintain a current list of all term-limited temporary employees by  
384 department.

385 QQQ. "Term-limited temporary position" means a temporary position  
386 with work related to a specific grant, capital improvement project,  
387 information systems technology project or other nonroutine, substantial

388 body of work, for a period greater than six months. In determining  
389 whether a body of work is appropriate for a term-limited temporary  
390 position, the appointing authority will consider the following:

391 1. Grant-funded projects: These positions will involve projects or  
392 activities that are funded by special grants for a specific time or activity.  
393 These grants are not regularly available to or their receipt predictable by  
394 the county;

395 2. Information systems technology projects: These positions will be  
396 needed to plan and implement new information systems projects for the  
397 county. Term-limited temporary positions may not be used for ongoing  
398 maintenance of systems that have been implemented;

399 3. Capital improvement projects: These positions will involve the  
400 management of major capital improvement projects. Term-limited  
401 temporary positions may not be used for ongoing management of  
402 buildings or facilities once they have been built;

403 4. Miscellaneous projects: Other significant and substantial bodies  
404 of work may be appropriate for term-limited temporary positions. These  
405 bodies of work must be either nonroutine projects for the department or  
406 related to the initiation or cessation of a county function, project or  
407 department;

408 5. Seasonal positions: These are positions with work for more than  
409 six consecutive months, half-time or more, with total hours of at least nine  
410 hundred ten in a calendar year in a work unit in which a thirty-five hour

411 work week is standard or at least one thousand forty hours in a calendar  
412 year in a work unit in which a forty hour work week is standard, that due  
413 to the nature of the work have predictable periods of inactivity exceeding  
414 one month. Where the standard work week falls between thirty-five and  
415 forty hours, the manager, in consultation with the department, is  
416 responsible for determining what hour threshold will apply; and

417 6. Temporary placement in regular positions: These are positions  
418 used to back fill regular positions for six months or more due to a career  
419 service employee's absence such as extended leave or assignment on any  
420 of the foregoing time-limited projects.

421 All appointments to term-limited temporary positions will be made by  
422 the appointing authority in consultation with the manager before the  
423 appointment of term-limited temporary employees.

424 RRR. "Volunteer for the county" means an individual who performs  
425 service for the county for civic, charitable or humanitarian reasons,  
426 without promise, expectation or receipt of compensation from the county  
427 for services rendered and who is accepted as a volunteer by the county,  
428 except emergency service worker volunteers as described by chapter 38.52  
429 RCW. A "volunteer for the county" may receive reasonable  
430 reimbursement of expenses or an allowance for expenses actually incurred  
431 without losing status as a volunteer. "Volunteer for the county" includes,  
432 but is not limited to, a volunteer serving as a board member, officer,  
433 commission member, volunteer intern or direct service volunteer.

434 SSS. "Volunteer intern" means volunteers who are either:

435 1. Enrolled during the regular school year in a program of education,  
436 internship or apprenticeship and receiving scholastic credit or scholastic  
437 recognition for participating in the internship; or

438 2. Legal interns who have graduated from law school but have not  
439 yet been admitted to the Washington State Bar Association.

440 TTT. "Washington state registered domestic partner" means persons  
441 who have met the requirements for a valid state-registered domestic  
442 partnership as established by RCW 26.60.030 and who have been issued a  
443 certificate of state-registered domestic partnership by the Secretary of  
444 State's office.

445 UUU. "Work study student" means a student enrolled or accepted for  
446 enrollment at a post-secondary institution who, according to a system of  
447 need analysis approved by the higher education coordinating board,  
448 demonstrates a financial inability, either parental, familial or personal, to  
449 bear the total cost of education for any semester or quarter.

450 SECTION 2. Ordinance 12014, Section 7, as amended, and K.C.C.  
451 3.12.040 are each hereby amended to read as follows:

452 A. Full-time regular, part-time regular, provisional, probationary and  
453 term-limited temporary employees shall receive the comprehensive leave  
454 benefits provided in this chapter. Short-term temporary employees and  
455 administrative interns do not receive comprehensive leave benefits and are  
456 only eligible for the sick leave benefits outlined in K.C.C. 3.12.220.

457           B. Full-time regular, part-time regular, provisional, probationary,  
458           term-limited temporary employees and those employees who meet the  
459           definition of full time employee under the Patient Protection and  
460           Affordable Care Act of 2010, as amended, and including applicable  
461           regulations promulgated under the Patient Protection and Affordable Care  
462           ((a))Act of 2010, as amended, and their spouses or Washington state  
463           registered domestic partners, each of their dependent children and each of  
464           the dependent children of their spouses or Washington State registered  
465           domestic partners shall be eligible for medical, dental, life, disability and  
466           vision benefits, except in those instances where contrary provisions have  
467           been agreed to in the collective bargaining process and to the extent such  
468           benefits are available through insurers selected by the county. The  
469           director shall establish specific provisions governing eligibility for these  
470           benefits as part of the personnel guidelines and consistent with budget  
471           requirements. The provisions may include waiting periods for employees  
472           newly-hired to the county.

473           C. Part-time and temporary employees, other than probationary,  
474           provisional and term-limited temporary employees, who exceed the  
475           calendar year working hours threshold defined in this chapter shall receive  
476           compensation in lieu of leave benefits at the rate of fifteen percent of gross  
477           pay for all hours worked less the value of any sick leave benefits provided  
478           under K.C.C. 3.12.220.A.2, paid retroactive to the first hour of  
479           employment and for each hour worked thereafter. If an employee has not

480 previously received insured benefits provided under K.C.C. 3.12.040.B,  
481 the employee shall also receive a one-time only payment in an amount  
482 equal to the direct cost of three months of insured benefits, as determined  
483 by the director, and, in lieu of insured benefits, in an amount equal to the  
484 direct cost to the county for each employee for whom insured benefits are  
485 provided, prorated to reflect the affected employee's normal work week,  
486 for each hour worked thereafter. The additional compensation shall  
487 continue until termination of employment or hire into a full-time regular,  
488 part-time regular or term-limited position. Further, employees receiving  
489 pay in lieu of insured benefits may elect to receive the medical component  
490 of the insured benefit plan, with the cost to be deducted from their gross  
491 pay, but an employee who so elects shall remain in the selected plan until:  
492 termination of employment; hire into a full-time regular, part-time regular  
493 or term-limited position; or service of an appropriate notice of change or  
494 cancellation during the employee benefits annual open enrollment.

495 Part-time and temporary employees, other than probationary,  
496 provisional and term-limited temporary employees, who exceed the  
497 applicable threshold are also eligible for cash in lieu of the bus pass  
498 benefit provided to regular employees. The value shall be determined  
499 based on the average annual cost per employee as determined in the  
500 adopted budget, prorated to an hourly equivalent based on the employee's  
501 normal work week, and shall be paid retroactive to the first hour worked  
502 and for each hour worked thereafter until termination of employment or

503 hire into a full-time regular, part-time regular or term limited position.

504 SECTION 3. Ordinance 12014, Section 14, and K.C.C. 3.12.110 are  
505 each hereby amended to read as follows:

506 A. It shall be the policy of the county to provide, within budgeted  
507 appropriations, training opportunities for employees. The objective of the  
508 training policy shall be guided by, but not limited to, the overall objectives  
509 of encouraging and motivating employees to improve their personal  
510 capabilities in performance of their assigned job duties.

511 B. The director shall be responsible for planning and executing an  
512 adequate training program for employees.

513 C. The county shall pay for any training, certification or license,  
514 except for a driver's license, that is required by the county for the  
515 employee's position. This includes necessary release time for training that  
516 is preapproved by the employee's supervisor.

517 D. The county shall not reimburse employees for unauthorized  
518 training.

519 ((D.)) E. Employees wishing to complete educational programs may  
520 request a leave of absence without pay for this purpose.

521 SECTION 4. Ordinance 12014, Section 19, as amended, and K.C.C.  
522 3.12.190 are each hereby amended to read as follows:

523 A. ~~((Beginning January 1, 1996, e))~~ Employees eligible for  
524 comprehensive leave benefits shall accrue vacation leave benefits as  
525 described in and further qualified by this section.

((Full Years of Service	Annual Leave in Days
Upon hire through end of Year 5	12
Upon beginning of Year 6	15
Upon beginning of Year 9	16
Upon beginning of Year 11	20
Upon beginning of Year 17	21
Upon beginning of Year 18	22
Upon beginning of Year 19	23
Upon beginning of Year 20	24
Upon beginning of Year 21	25
Upon beginning of Year 22	26
Upon beginning of Year 23	27
Upon beginning of Year 24	28
Upon beginning of Year 25	29
Upon beginning of Year 26 and beyond	30))

526

<u>Months of Service</u>	<u>Hourly Accrual Rate</u>	<u>Approximate Days/Year</u>
0	0.04620	12.01200
60	0.05770	15.00200
96	0.06160	16.01600
120	0.07700	20.02000
192	0.08080	21.00800
204	0.08470	22.02200
216	0.08850	23.01000
228	0.09240	24.02400
240	0.09620	25.01200
252	0.10010	26.02600
264	0.10390	27.01400
276	0.10780	28.02800
288	0.11160	29.01600
300	0.11540	30.00400

527

B. ((Notwithstanding the vacation leave schedule in subsection A. of

528

this section, employees eligible for comprehensive leave benefits,

529

excluding employees in the former department of metropolitan services,

530

shall accrue vacation leave as follows:

531

1. Those employees who were employed on or before December 31,

532 ~~1995, and by that date had completed at least three but less than five full~~  
533 ~~years of service shall begin to accrue fifteen days of vacation leave per~~  
534 ~~year effective January 1, 1996;~~

535 ~~2. Those employees who were employed on or before December 31,~~  
536 ~~1995, and subsequent to that date complete three full years of service shall~~  
537 ~~begin to accrue fifteen days of vacation leave per year effective on the first~~  
538 ~~day of their fourth full year of service.~~

539 ~~Beginning on the first day of their sixth full year of service, all such~~  
540 ~~employees shall accrue vacation leave as set forth in subsection A. of this~~  
541 ~~section.~~

542 ~~C.)~~ Vacation accrual rates for an employee who works other than the  
543 full time schedule standard to the employee's work unit shall be prorated  
544 to reflect the employee's normally scheduled work week. No adjustment  
545 to vacation accrual rates for a furloughed employee shall be made as a  
546 result of a budgetary furlough.

547 D. Employees eligible for vacation leave shall accrue vacation leave  
548 from their date of hire into a benefit eligible position.

549 E.1. Employees hired before December 31, 2017, who are eligible for  
550 vacation leave may accrue up to ((sixty days)) four hundred eighty hours  
551 of vacation leave, prorated to reflect their normally scheduled work  
552 ((day)) schedule.

553 2. Employees hired January 1, 2018, or thereafter, who are eligible  
554 for vacation leave may accrue up to three hundred twenty hours of

555 vacation leave, prorated to reflect their normally scheduled work schedule.  
556 ~~((Those))~~ 3. All employees shall use vacation leave beyond the  
557 employee's maximum accrual amount before December 31 of each year.  
558 Failure to use vacation leave beyond the employee's maximum accrual  
559 amount ~~((will))~~ shall result in forfeiture of the vacation leave beyond the  
560 employee's maximum accrual amount unless the appointing authority has  
561 approved a carryover of the vacation leave because of cyclical workloads,  
562 work assignments or other reasons as may be in the best interests of the  
563 county.

564 ~~((F. Exempt employees in regular positions, other than provisional or~~  
565 ~~probationary employees, may take and upon leaving county employment~~  
566 ~~be paid for accrued vacation leave as approved by their appointing~~  
567 ~~authorities.~~

568 ~~— G. Career service employees, provisional, probationary and term-~~  
569 ~~limited temporary e)) D. Employees((, shall not be eligible to take or be~~  
570 ~~paid for vacation leave until they have successfully completed their first~~  
571 ~~six months of county service, and if they leave county employment before~~  
572 ~~successfully completing their first six months of county service, shall~~  
573 ~~forfeit and not be paid for accrued vacation leave)) eligible for~~  
574 comprehensive leave benefits may use vacation leave hours in the pay  
575 period after they are accrued. Employees who leave county employment  
576 before successfully completing their first six months of county service  
577 shall forfeit their vacation leave hours and are excluded from the payout

578 provisions in this section.

579 ((H.)) E. A furloughed employee shall not be eligible to take or be  
580 paid for vacation in lieu of taking a budgetary furlough day.

581 F. In lieu of the remuneration for fifty percent of unused accrued  
582 vacation leave at retirement, the ~~((manager of the human resources  
583 division or designee))~~ director may, with equivalent funds and in  
584 accordance with the procedures in K.C.C. 3.12.220.~~((F.))~~G.2.b, provide  
585 eligible employees with a voluntary employee beneficiary association plan  
586 that provides for reimbursement of retiree and other qualifying medical  
587 expenses.

588 ~~((I.))~~ G. An employee who is eligible for comprehensive leave  
589 benefits shall be paid for accrued vacation leave to the employee's date of  
590 separation up to the employee's maximum accrual amount if the employee  
591 has successfully completed the employee's first six months of county  
592 service and is in good standing. Except with the written approval of the  
593 executive, the position, if vacated by a nonrepresented employee, shall not  
594 be filled until salary savings for the position are accumulated in an amount  
595 sufficient to pay the cost of the cash out. Payment shall be the accrued  
596 vacation leave multiplied by the employee's rate of pay in effect upon the  
597 date of leaving county employment less mandatory withholdings.

598 ~~((J. Employees shall not use or be paid for vacation leave until it has  
599 accrued and the use or payment is consistent with the provisions of this  
600 section.~~

601           ~~K.)~~ H. Employees shall not work for compensation for the county in  
602 any capacity during the time that the employees are on vacation leave.

603           ~~(L.)~~ I. For employees covered by the overtime requirements of the  
604 Fair Labor Standards Act, vacation leave may be used in ~~((one-half hour))~~  
605 fifteen-minute increments, at the discretion of the appointing authority.

606           ~~(M.)~~ J. In cases of separation from county employment by death of  
607 an employee with accrued vacation leave and who has successfully  
608 completed the employee's first six months of county service, payment of  
609 unused vacation leave up to the employee's maximum accrual amount  
610 shall be made to the employee's estate, or, in applicable cases, as provided  
611 for by state law, Title 11 RCW. Except with the written approval of the  
612 executive, the position, if vacated by a nonrepresented employee, shall not  
613 be filled until salary savings for the position are accumulated in an amount  
614 sufficient to pay the cost of the cash out.

615           ~~(N.)~~ K. If an employee resigns from a full-time regular or part-time  
616 regular position with the county in good standing or is laid off and  
617 subsequently returns to county employment within two years from the  
618 resignation or layoff, as applicable, the employee's prior county service  
619 shall be counted in determining the vacation leave accrual rate under  
620 subsection A. of this section.

621           SECTION 5. Ordinance 4324, Section 27, as amended, and K.C.C.  
622 3.12.210 are each hereby amended to read as follows:

623           A. Employees eligible for comprehensive leave benefits shall be

624 entitled to ~~((three))~~ up to five working days, with a maximum of forty  
625 hours, of bereavement leave ~~((a year due to))~~ for each death of ~~((members~~  
626 ~~of their immediate))~~ the following family members: the employee's  
627 spouse or domestic partner; the parent, grandparent, child, son or  
628 daughter-in-law, grandchild or sibling of the employee, the employee's  
629 spouse or the employee's domestic partner; or the employee's legal  
630 guardian, ward or any person over whom the employee has legal custody.  
631 Part-time employees' bereavement leave benefits shall be prorated to  
632 reflect their work week. ~~((A furloughed employee shall not be eligible to~~  
633 ~~take or be paid for bereavement leave in lieu of taking a budgetary~~  
634 ~~furlough day.~~

635 ~~B. Employees eligible for comprehensive leave benefits who have~~  
636 ~~exhausted their bereavement leave shall be entitled to use sick leave in the~~  
637 ~~amount of three days for each instance of death when death occurs to a~~  
638 ~~member of the employee's immediate family.))~~

639 B. A furloughed employee shall not be eligible to take or be paid for  
640 bereavement ~~((sick))~~ leave in lieu of taking a budgetary furlough day.

641 ~~C. ((In cases of family death where no sick leave benefit is authorized~~  
642 ~~or exists, an e))~~ Employees who are not eligible for comprehensive leave  
643 benefits may be granted leave without pay or be allowed to use  
644 compensatory time, if available, for bereavement leave.

645 D. In the application of any of subsections A., B. and C. of this  
646 section, holidays or regular days off falling within the prescribed period of

647 absence shall not be charged.

648 E. Any additional paid leave, including sick leave, may be approved  
649 by mutual agreement between the county and the employee.

650 SECTION 6. Ordinance 18408, Section 2, as amended, and K.C.C.  
651 3.12.219 are each hereby amended to read as follows:

652 A. ~~((The executive shall create a program that provides~~  
653 ~~nonrepresented employees, on the terms in Ordinance 18408, paid parental~~  
654 ~~leave following a qualifying event.~~

655 B. ~~The executive is authorized to enter into memoranda of agreement~~  
656 ~~with the labor organizations that represent King County employees to~~  
657 ~~provide those employees paid parental leave consistent with the terms of~~  
658 ~~this section.~~

659 C. ~~The program for paid parental leave shall be subject to the~~  
660 ~~following:~~

661 ~~1. The program is intended to provide employees eligible for~~  
662 ~~comprehensive leave benefits with twelve weeks of paid parental leave~~  
663 ~~during the twelve months following a qualifying event;~~

664 ~~2. Participation in the program shall be limited to e))~~Employees  
665 eligible for comprehensive leave benefits who have been employed with  
666 the county for at least six months of continuous service at the time of ((the  
667 qualifying event)) a birth, adoption or foster-to-adopt placement of a child,  
668 and are either nonrepresented or represented by a union that has signed a  
669 paid parental leave memorandum of agreement ((in subsection B. of this

670 ~~section;))~~ with the county, are eligible for up to twelve weeks of paid  
671 parental leave.

672 B. If both parents work for King County, then each employee is  
673 entitled to up to twelve weeks of paid parental leave.

674 ~~((3-))~~ C. An employee's supplemental paid parental leave benefit shall  
675 be calculated based on the employee's accrued paid leave balances at the  
676 time of the qualifying event. The employee shall receive the equivalent of  
677 the employee's full salary for up to a total of twelve weeks, when  
678 combined with the employee's accrued leaves, except for one week of sick  
679 leave and one week of vacation leave, or the equivalent for benefit time  
680 off. ((4. An employee electing to participate in the program must reserve  
681 one week of accrued vacation and one week of accrued sick leave, or  
682 whatever smaller amount of each the employee has accrued. An employee  
683 with twelve weeks or more of unreserved, accrued paid leave at the time  
684 of the qualifying event may use up to twelve weeks of accrued paid leave  
685 as paid parental leave during the twelve months after the qualifying event.  
686 An employee who has less than twelve weeks of unreserved, accrued paid  
687 leave at the time of the qualifying event shall be granted supplemental  
688 paid leave in an amount sufficient, when combined with the employee's  
689 unreserved accrued paid leave, to equal a total of twelve weeks of paid  
690 parental leave.)) For example, if an employee has two weeks of accrued  
691 vacation and three weeks of accrued sick leave at the time of the  
692 qualifying event, the employee shall be granted nine weeks of

693 supplemental paid leave, bringing the total available paid parental leave to  
694 twelve weeks.

695 ~~((5.))~~ D. An employee may use supplemental paid leave and accrued  
696 paid leave in any order and is not required to use any of the accrued paid  
697 leave as paid parental leave.

698 ~~((6.))~~ E. An employee on paid parental leave ~~((in the program))~~ shall  
699 be compensated at the employee's base pay rate.

700 ~~((7.))~~ F. An employee should provide notice to the designated  
701 representative of the employee's department that the employee intends to  
702 participate in the program. The notice should meet the notice  
703 requirements for taking family and medical leave under federal law.

704 ~~((8.))~~ G. Paid parental leave ~~((under the program))~~ must begin and  
705 end within twelve months after the qualifying event.

706 ~~((9.))~~ H. The employee and the employee's supervisor shall agree  
707 upon a schedule for taking paid parental leave that is consistent with the  
708 county's operational needs. An employee may use the paid parental leave  
709 on a part-time or intermittent basis as long as ~~((that))~~ it is consistent with  
710 the county's operational needs and is approved in writing by the supervisor  
711 before the leave begins.

712 ~~((10.))~~ I. Paid parental leave ~~((under Ordinance 18408))~~ shall run  
713 concurrently with King County family and medical leave, as well as  
714 federal and state family and medical leave, to the extent permitted by law.

715 ~~((11.))~~ J. During the time that an employee is on leave in the

716 program, the employee's job shall be protected to the same extent that an  
717 employee's job is protected while the employee is on family or medical  
718 leave under federal or state law. No retaliatory action may be taken  
719 against an employee for participating or planning to participate in the  
720 program or for exercising the employee's rights under this ordinance. In  
721 particular, permission to use accrued paid leave shall not be denied or  
722 delayed on the basis that the employee intends to participate in the  
723 program. This is a general statement of county policy that cannot form the  
724 basis of a private right of action.

725 ~~((12.))~~ K. Taking leave under the paid parental leave program shall  
726 not affect an employee's health benefits or an employee's accrual of paid  
727 leave, which shall continue during the period of paid parental leave.

728 ~~((13.))~~ L. Employees shall not be compensated in any manner for not  
729 using the supplemental paid parental leave ~~((that is available under  
730 Ordinance 18408))~~.

731 ~~((14.))~~ M. An employee who does not return to work for at least six  
732 months of continuous service following the paid parental leave, ~~((will))~~  
733 shall be required to reimburse King County for the supplemental paid  
734 parental leave funds received.

735 SECTION 7. Ordinance 12014, Section 21, as amended, and K.C.C.  
736 3.12.220 are each hereby amended to read as follows:

737 A.1. Except for employees covered by subsection A.3. of this section,  
738 employees eligible for comprehensive leave shall accrue sick leave

739 benefits at the rate of 0.04616 hours for each hour in pay status exclusive  
740 of overtime up to a maximum of eight hours per month; except that if an  
741 hourly employee works in excess of seventy-four hours in one week, the  
742 employee shall accrue sick leave at the rate of 0.025 hours for each hour  
743 worked in excess of seventy-four. No adjustment to reduce sick leave  
744 accruals for furloughed employee shall be made as a result of a budgetary  
745 furlough.

746 2. Short-term temporary employees and administrative interns shall  
747 accrue sick leave at the rate of 0.025 hours for each hour in pay status.

748 3. Employees who are members of the Law Enforcement Officers  
749 and Firefighters (LEOFF) 1 retirement system and short-term temporary  
750 employees who are employed in social service programs designed to help  
751 youth gain basic work training skills, such as Work Experience (WEX)  
752 participants and Division of Youth Services (DYS) youth employment  
753 workers, shall not accrue sick leave.

754 B. Employees are entitled to use sick leave after it is accrued.

755 C. For employees covered by the overtime requirements of the Fair  
756 Labor Standards Act, sick leave may be used in fifteen-minute increments.

757 D. There shall be no limit to the number of sick leave hours accrued  
758 and carried over to the following year by employees eligible for  
759 comprehensive leave benefits. Short-term temporary employees and  
760 administrative interns may carry over forty hours of unused sick leave to  
761 the following year, all other unused accrued sick leave shall be forfeited.

762           ~~((C.))~~ E. For employees covered by the overtime requirements of the  
763 Fair Labor Standards Act, sick leave may be used in fifteen-minute  
764 increments.

765           ~~((D. There shall be no limit to the hours of sick leave benefits accrued  
766 by an eligible employee.))~~

767           ~~((E.))~~ E.1. Separation from or termination of county employment  
768 except by reason of retirement or layoff due to lack of work, funds,  
769 efficiency reasons or separation for medical reasons, shall cancel all sick  
770 leave accrued to employees eligible for comprehensive leave benefits as of  
771 the date of separation or termination.

772           2. Separation from, retirement from or termination of county  
773 employment shall cancel all sick leave accrued to short-term temporary  
774 employees and administrative interns as of the date of the separation,  
775 retirement or termination.

776           3. Should an employee return to county employment within two  
777 years, accrued sick leave shall be restored. If a retiree is rehired, that  
778 employee is not entitled to have any sick leave restored.

779           ~~((F.))~~ G.1. Except for short-term temporary employees,  
780 administrative interns, and employees covered by the Law Enforcement  
781 Officers and Firefighters (LEOFF) 1 retirement system, employees  
782 eligible to accrue sick leave who have successfully completed at least five  
783 years of county service and who retire as a result of length of service or  
784 who terminate by reason of death shall be paid, or their estates paid or as

785 provided for by Title 11 RCW, as applicable, an amount equal to thirty-  
786 five percent of their unused, accumulated sick leave multiplied by the  
787 employee's rate of pay in effect upon the date of leaving county  
788 employment less mandatory withholdings. This provision is predicated on  
789 the requirement that, except with the written approval of the executive, the  
790 position, if vacated by a nonrepresented employee, shall not be filled until  
791 salary savings for the position are accumulated in an amount sufficient to  
792 pay the cost of the cash out. For the purposes of this subsection ~~((F-))~~G.1.,  
793 "retire as a result of length of service" means an employee is eligible,  
794 applies for and begins drawing a pension from the Law Enforcement  
795 Officers and Firefighters (LEOFF), Public Employees' Retirement System  
796 (PERS), Public Safety Employees' Retirement System (PSERS) or the city  
797 of Seattle Retirement Plan immediately upon terminating county  
798 employment.

799 2.a. In lieu of the remuneration for unused sick leave at retirement,  
800 the ~~((manager of the human resources division or designee))~~ director may,  
801 with equivalent funds, provide eligible employees with a voluntary  
802 employee beneficiary association plan that provides for reimbursement of  
803 retiree and other qualifying medical expenses. Under K.C.C.  
804 3.12.190.~~((H-))~~F., in lieu of the remuneration for fifty percent of unused  
805 vacation leave at retirement, the ~~((manager))~~ director may also fund the  
806 voluntary employee beneficiary association plan.

807 b. The ~~((manager))~~ director shall adopt procedures for the

808 implementation of all voluntary employee beneficiary association plans.

809 At a minimum, the procedures shall provide that:

810 (1) each group of employees hold an election to decide whether to  
811 implement a voluntary employee beneficiary association plan for a defined  
812 group of employees. The determination of the majority of voting  
813 employees in a group shall bind the remainder. Elections for represented  
814 employees shall be conducted by the appropriate bargaining  
815 representative. Elections for nonrepresented employees shall be  
816 conducted in accordance with procedures established by the ~~((manager))~~  
817 director;

818 (2) the ~~((manager))~~ director has discretion to determine the scope  
819 of employee groups voting on whether to adopt a voluntary employee  
820 beneficiary association plan. The ~~((manager))~~ director shall consult with  
821 bargaining representatives and elected officials in determining the scope  
822 of voting groups;

823 (3) any voluntary employee beneficiary association plan  
824 implemented in accordance with this subsection ~~((F-))~~ G.2. complies with  
825 federal tax law. Disbursements in accordance with this subsection ~~((F-))~~  
826 G.2. shall be exempt from withholdings, to the extent permitted by law;  
827 and

828 (4) employees shall forfeit remuneration under subsection ~~((s-F-))~~  
829 G.1. and 2. of this section if the employee belongs to a group that has  
830 voted to implement a voluntary employee beneficiary association plan and

831 the employee fails to execute forms that are necessary to the proper  
832 administration of the plan within twelve months of retirement by reason of  
833 length of service, as defined in subsection ~~((F.))~~G.1. of this section.

834 ~~((G.))~~ H.1. An employee must use all of the employee's accrued sick  
835 leave and any donated sick leave before taking unpaid leave for the  
836 employee's own health reasons. If the employee has an injury or illness  
837 that is compensable under the county's workers compensation program,  
838 then the employee has the option to augment or not augment wage  
839 replacement pay with the use of accrued sick leave. A furloughed  
840 employee shall not be eligible to take or be paid for sick leave in lieu of  
841 taking a budgetary furlough day.

842 2. For a leave for family reasons, the employee shall choose at the  
843 start of the leave whether the particular leave would be paid or unpaid, but  
844 when an employee chooses to take paid leave for family reasons the  
845 employee may set aside a reserve of up to eighty hours of accrued sick  
846 leave. A furloughed employee who is on county family medical leave as  
847 provided for in this section shall retain county benefits during furlough  
848 days.

849 3. An employee who has exhausted all of the employee's accrued  
850 sick leave may use accrued vacation leave before going on leave of  
851 absence without pay, if approved by the employee's appointing authority.  
852 A furloughed employee shall not be eligible to take or be paid for vacation  
853 leave in lieu of sick leave in lieu of taking a furlough day.

854           ((H.)) I. Sick leave may be used for the following reasons:

855           1. An absence:

856           a. resulting from the employee's mental or physical illness, injury,  
857 or health condition;

858           b. to accommodate the employee's need for medical diagnosis, care  
859 or treatment of a mental or physical illness, injury or health condition; or

860           c. for the employee's need for preventive medical care;

861           2. To allow the employee to provide care:

862           a. for a family member with a mental or physical illness, injury or  
863 health condition;

864           b. for a family member who needs medical diagnosis, care or  
865 treatment of a mental or physical illness, injury or health condition; or

866           c. for a family member who needs preventive medical care;

867           3. When a King County facility is closed by order of public official  
868 for any health-related reason, or when an employee's child's school or  
869 place of care is closed by order of a public official for a health-related  
870 reason;

871           4. For absences that qualify for leave under the domestic violence  
872 leave act, chapter 49.76 RCW;

873           5. For absences to increase the safety of the employee or a family  
874 member when the employee or a family member has been a victim of  
875 trafficking under RCW 9A.40.100; and

876           6. For family and medical leave available under federal law, state

877 law or King County ordinance.

878 ~~((I))~~ J. For purposes of sick leave, "family member" means any of

879 the following:

880 1. A child, including a biological, adopted or foster child, a stepchild

881 or a child to whom the employee stands in loco parentis, is a legal

882 guardian or is a de facto parent, regardless of age or dependency status, or

883 the child of the employee's domestic partner;

884 2. The parent of an employee, employee's spouse or employee's

885 domestic partner. Parent includes:

886 a. a biological parent;

887 b. an adoptive parent;

888 c. a de facto parent;

889 d. a foster parent;

890 e. a stepparent;

891 f. a legal guardian; or

892 g. a person who stood or stands in loco parentis to the employee,

893 employee's spouse or employee's domestic partner.

894 3. A spouse;

895 4. A domestic partner;

896 5. A grandparent;

897 6. A grandchild; or

898 7. A sibling.

899 ~~((I))~~ K.1. An employee injured on the job may not simultaneously

900 collect sick leave and workers' compensation payments in a total amount  
901 greater than the net regular pay of the employee, though an employee who  
902 chooses not to augment the employee's workers' compensation wage  
903 replacement pay through the use of sick leave shall be deemed on unpaid  
904 leave status.

905 2. An employee who chooses to augment workers' compensation  
906 payments with the use of accrued sick leave shall notify the safety and  
907 workers' compensation program office in writing at the beginning of the  
908 leave.

909 3. An employee may not collect sick leave and workers'  
910 compensation wage replacement pay for physical incapacity due to any  
911 injury or occupational illness that is directly traceable to employment  
912 other than with the county;

913 ~~((K.))~~ L. Management of the employee's department is responsible  
914 for the proper administration of sick leave benefits. Management of the  
915 employee's department may require an employee to provide reasonable  
916 notice of an absence from work, so long as the notice does not interfere  
917 with an employee's lawful use of sick leave.

918 ~~((L.))~~ M. Verification that an employee's use of sick leave is for an  
919 authorized purpose may be required for absences exceeding three days.  
920 Verification may not result in an unreasonable burden or expense on the  
921 employee and may not exceed privacy or verification requirements  
922 otherwise established by law.

923            SECTION 8. Ordinance 15558, Section 2, as amended, and K.C.C.  
924            3.12.222 are each hereby amended to read as follows:

925            ((The executive may implement a process providing the opportunity  
926            for benefit-eligible employees to convert accrued vacation or accumulated  
927            compensatory hours, or both, into a cash donation. This process must  
928            conform to the following:))

929            A. Annually, from the first business day in October through the last  
930            business day in November, an employee eligible for comprehensive leave  
931            benefits may sign a written authorization subject to approval by the  
932            employee's department director ~~((, or the employee's department director's~~  
933            ~~designee,))~~ to convert accrued vacation or accumulated compensatory  
934            hours, or both, into cash to benefit up to three nonprofit organizations  
935            participating in the King County employee annual drive in accordance  
936            with K.C.C. chapter 3.36, of the employee's choice.

937            B. Notwithstanding K.C.C. 3.12.190, an employee eligible for  
938            comprehensive leave benefits may convert accrued vacation or  
939            accumulated compensatory hours, or both, into cash to benefit natural  
940            disaster relief efforts. Upon the occurrence of a natural disaster and with  
941            the exception of the employee ~~((charitable campaign))~~ annual drive-related  
942            period designated under subsection A. of this section the executive may  
943            authorize a forty-five-day opportunity for ~~((benefit-eligible))~~ employees  
944            eligible for comprehensive leave benefits to sign a written authorization to  
945            convert accrued vacation or accumulated compensatory hours, or both,

946 into cash to benefit up to three nonprofit organizations designated by the  
947 executive. The employee's written authorization is subject to approval by  
948 the employee's department director (~~(or the employee's department~~  
949 ~~director's designee)~~). The designated nonprofit organization must be a  
950 King County employee annual drive participant in accordance with K.C.C.  
951 chapter 3.36. This section shall be administered in accordance with  
952 K.C.C. chapter 3.36.

953 C. The hours converted under subsection A. or B. of this section must  
954 be in full-hour increments. The employee's donation must be a minimum  
955 of four hours and no more than forty hours per calendar year with the  
956 exception of the conditions described in subsection D. of this section.

957 D. An employee eligible for comprehensive leave benefits who  
958 earned excess vacation leave or compensatory hours, or both, beyond the  
959 amount that may be carried over into the next fiscal year may donate  
960 greater than forty hours under subsection A. or B. of this section with  
961 approval from the employee's department director(~~(, or the employee's~~  
962 ~~department director's designee)~~).

963 E. All King County (~~(benefit-eligible)~~) employees eligible for  
964 comprehensive leave benefits may donate in accordance with this section  
965 voluntarily.

966 F. The finance and business operations division shall value the hours  
967 donated under this section based on the regular hourly rate of the  
968 employee in effect at the time the approved conversion authorization is

969 processed. The finance and business operations division shall process  
970 leave donations authorized under subsection A. of this section within the  
971 first two full weeks in December. The finance and business operations  
972 division shall process leave donations authorized under subsection B. of  
973 this section within the first two full weeks after the forty-five-day period  
974 designated in accordance with subsection B. of this section.

975 G. The net cash value of the accrued vacation or compensatory hours,  
976 or both, after all mandatory withholdings, including, but not limited to,  
977 withholding in accordance with retirement plans, federal income tax and  
978 the Federal Insurance Contributions Act, have been deducted must be  
979 distributed by the finance and business operations division to the  
980 designated nonprofit organization or organizations.

981 ~~((H. Employees governed by a collective bargaining agreement may  
982 convert to cash accrued vacation or accumulated compensatory hours, or  
983 both, if the existing agreement allows for, or the agreement is amended to  
984 allow for, conversions as authorized in this section. The executive may  
985 enter into such agreements or modifications to existing collective  
986 bargaining agreements as are necessary to implement this section.))~~

987 SECTION 9. Ordinance 12014, Section 22, as amended, and K.C.C.  
988 3.12.223 are each hereby amended to read as follows:

989 A.1. Any employee eligible for comprehensive leave benefits may  
990 donate a portion of the employee's accrued vacation leave to another  
991 employee eligible for comprehensive leave benefits. Such a donation

992            ~~((will))~~ may only occur upon written request to and approval of the  
993            donating and receiving employees' department director or directors ~~((~~  
994            ~~except that requests for vacation donation made for the purposes of~~  
995            ~~supplementing the sick leave benefits of the receiving employee shall not~~  
996            ~~be denied unless approval would result in a departmental hardship for the~~  
997            ~~receiving department))~~).

998            2. The number of hours donated shall not exceed the donor's accrued  
999            vacation ~~((credit))~~ leave as of the date of the request. No donation of  
1000            vacation hours shall be permitted where it would cause the employee  
1001            receiving the transfer to exceed that employee's maximum vacation  
1002            accrual.

1003            3. A furloughed employee shall not be eligible to take or be paid for  
1004            donated vacation in lieu of taking a furlough day, except as provided in  
1005            K.C.C. 3.12F.040.

1006            4. Donated vacation leave hours remain with the recipient. ~~((must be~~  
1007            ~~used within ninety calendar days following the date of donation. Donated~~  
1008            ~~hours not used within ninety days or due to the death of the receiving~~  
1009            ~~employee shall revert to the donor.))~~ Donated vacation leave hours shall  
1010            be excluded from vacation leave payoff provisions in this chapter. ~~((For~~  
1011            ~~purposes of this section, the first hours used by an employee shall be~~  
1012            ~~accrued vacation leave hours.))~~

1013            B.1. Any employee eligible for comprehensive leave benefits may  
1014            donate a portion of the employee's accrued sick leave to another employee

1015 eligible for comprehensive leave benefits upon written ~~((notice to))~~  
1016 request to and approval of the donating and receiving employees'  
1017 department director or directors.

1018 2. No donation of sick leave hours shall be permitted unless the  
1019 donating employee's sick leave accrual balance immediately subsequent to  
1020 the donation is one hundred hours or more. No employee may donate  
1021 more than twenty-five hours of the employee's accrued sick leave in a  
1022 calendar year.

1023 3. Donated sick leave hours remain with the recipient. ~~((must be  
1024 used within ninety calendar days. Donated hours not used within ninety  
1025 days or due to the death of the receiving employee shall revert to the  
1026 donor.))~~ Donated sick leave hours shall be excluded from the sick leave  
1027 payoff provisions contained in this chapter, and sick leave restoration  
1028 provisions contained in this chapter. ~~((For purposes of this section, the  
1029 first hours used by an employee shall be accrued sick leave hours.))~~

1030 C. All donations of vacation and sick leave made under this chapter  
1031 are strictly voluntary. Employees are prohibited from soliciting, offering  
1032 or receiving monetary or any other compensation or benefits in exchange  
1033 for donating vacation or sick leave hours.

1034 D. All vacation and sick leave hours donated shall be converted to a  
1035 dollar value based on the donor's straight time hourly rate at the time of  
1036 donation. Such dollar value ~~((will))~~ shall then be divided by the receiving  
1037 employee's hourly rate to determine the actual number of hours received.

1038 Vacation leave donated to a furloughed employee, who is designated by a  
1039 department director and confirmed by the chief administrative officer as  
1040 eligible to use donated leave on a furlough day, is donated on an hour-for-  
1041 hour basis, without an hourly rate conversion. ~~((Unused donated vacation  
1042 and sick leave shall be reconverted based on the donor's straight time  
1043 hourly rate at the time of reconversion. Vacation leave donated to a  
1044 furloughed employee who is designated by the department director and  
1045 confirmed by the chief administrative officer as eligible to use donated  
1046 leave on a furlough day shall not revert back to the donor.))~~

1047 SECTION 10. Ordinance 13743, Section 1, as amended, and K.C.C.  
1048 3.12.224 are each hereby amended to read as follows:

1049 Notwithstanding K.C.C. 3.12.190, if an employee dies while engaged  
1050 within the scope of the employee's employment, the executive may  
1051 implement a process providing a one-time opportunity to allow employees  
1052 eligible for comprehensive leave benefits to convert either accrued  
1053 vacation or accumulated compensatory time hours, or both, to cash to  
1054 benefit any children of the deceased employee who are under twenty-three  
1055 years old at the time of the employee's death. This process must conform  
1056 to the following requirements:

1057 A. The executive shall establish a forty-five-day period during which  
1058 time employees may sign a written request, subject to approval by the  
1059 executive, to convert either accrued vacation or accumulated  
1060 compensatory time hours, or both, to cash and to authorize a payroll

1061 deduction of the cash to benefit the children of the deceased employee  
1062 who are under twenty-three years old at the time of the employee's death.

1063 The hours must be in full-hour increments, with a minimum of four;

1064 B. The executive shall determine the maximum hours that any  
1065 employee can convert to cash, but the maximum may not be greater than a  
1066 total of forty by each employee;

1067 C. The value of the hours must be determined based on the regular  
1068 hourly rate of the employee in effect at the time the approved conversion  
1069 request is received by the county's payroll office;

1070 D. If employees elect to convert either accrued vacation or  
1071 accumulated compensatory time hours, or both, to cash as set forth in this  
1072 section, the executive shall identify one or more support accounts or  
1073 programs to which the cash may be paid for the benefit of the children.

1074 Unless the executive determines that another support account or program  
1075 is more suitable given the circumstances of the children, the executive  
1076 shall first insure the establishment of a Washington state college tuition  
1077 prepaid program-guaranteed education tuition (GET) account with the  
1078 state of Washington treasury to benefit the children of the deceased  
1079 employee. In addition to or in lieu of the GET program, the executive  
1080 may direct that some or all of the cash collected under this section be paid  
1081 to other support accounts or programs that the executive has determined:

1082 1. Are established in the names of the children or their legal  
1083 guardian for the benefit of the children;

1084           2. Are held by a governmental agency, nonprofit organization, bank,  
1085 trust or lawful entity other than an individual;

1086           3. Contain adequate safeguards against theft, diversion, loss or  
1087 wasting of the funds paid under this section; and

1088           4. Restrict the permissible use of funds paid under this section to  
1089 paying for minimal, if any, administrative expenses and providing for the  
1090 children's reasonable food, shelter and educational expenses; and

1091           E. The cash resulting from converted accrued vacation or  
1092 compensatory time hours, or both, net of all mandatory deductions,  
1093 including, but not limited to, deductions for retirement plans and federal  
1094 income tax and the Federal Insurance Contributions Act, must be  
1095 transmitted to the Washington state college tuition prepaid program-  
1096 guaranteed education tuition (GET) account established by the executive,  
1097 or such other accounts or programs as may be determined by the  
1098 executive, under subsection D. of this section((; and

1099           ~~F. Employees governed by a collective bargaining agreement may  
1100 convert to cash either accrued vacation or accumulated compensatory time  
1101 hours, or both, only if the existing agreement allows for or the collective  
1102 bargaining agreement is amended to allow for conversions as authorized in  
1103 this section)).~~

1104           SECTION 11. Ordinance 13743, Section 2, as amended, and K.C.C.  
1105 3.12.2245 are each hereby repealed.

1106           SECTION 12. Ordinance 7956, Section 6, as amended, and K.C.C.

1107 3.12.225, are each hereby amended to read as follows:

1108 ~~((The appointing authority))~~ A. Division managers shall allow the  
1109 division's employees who are eligible for comprehensive leave benefits  
1110 the use of up to three days of sick leave each calendar year ~~((to allow~~  
1111 employees)) to perform volunteer services at ~~((the))~~ a local school  
1112 ~~((attended by the employee's child))~~ or at a nonprofit organization on the  
1113 approved list for the employee giving program. During a calendar year, an  
1114 employee may use sick leave for volunteer service for both school and  
1115 nonprofit organization participation. The aggregate number of sick leave  
1116 days used for those purposes shall not exceed three days in a calendar  
1117 year.

1118 B. A furloughed employee shall not be eligible to take or be paid for  
1119 ~~((school))~~ volunteer sick leave in lieu of taking a furlough day.

1120 C. Employees requesting to use sick leave for this purpose shall  
1121 submit such a request in writing specifying the name of the school or  
1122 organization and the nature of the volunteer services to be performed. The  
1123 employee's supervisor may request in advance that the employee obtain  
1124 written proof of the service from the school or organization.

1125 SECTION 13. Ordinance 12014, Section 23, as amended, and K.C.C.  
1126 3.12.230, are each hereby amended to read as follows:

1127 A. ~~((The following days are hereby designated as official county~~  
1128 holidays)) All employees eligible for comprehensive leave benefits shall  
1129 be granted the following designated holidays with pay:

- 1130 1. January 1, New Year's Day;
- 1131 2. Third Monday in January, Martin Luther King, Jr. (~~Birth~~day)
- 1132 Day;
- 1133 3. Third Monday in February, President's Day;
- 1134 4. Last Monday in May, Memorial Day;
- 1135 5. July 4, Independence Day;
- 1136 6. First Monday in September, Labor Day;
- 1137 7. November 11, Veteran's Day;
- 1138 8. Fourth Thursday in November, Thanksgiving Day (~~and the day~~
- 1139 ~~immediately following~~);
- 1140 9. Friday after Thanksgiving, Day after Thanksgiving;
- 1141 10. December 25, Christmas Day; and
- 1142 ~~((10. Special or limited holidays as declared by the president or~~
- 1143 ~~governor, and as approved by the council;~~
- 1144 ~~— 11. Such other days in lieu of holidays as the council may~~
- 1145 ~~determine;~~
- 1146 ~~— 12.)) 11. For ((A))an employee who is eligible for comprehensive~~
- 1147 leave benefits ((shall be granted)), two personal holidays (( to)), which
- 1148 shall be ((administered through the vacation plan, though the hours
- 1149 granted to an employee working less than a full-time schedule shall be
- 1150 prorated to reflect that employee's normally scheduled work day. One day
- 1151 shall be credited to the employee's leave balance on the first of October
- 1152 and one day on the first of November)) added to the employee's vacation

1153 bank in the second full pay period of the calendar year or upon hire.

1154 B. For holidays falling on a Saturday, the Friday before shall be a  
1155 paid holiday. For holidays falling on a Sunday, the Monday following  
1156 shall be a paid holiday.

1157 C. An employee must be eligible for comprehensive leave benefits  
1158 and in a pay status on the day before and the day following a holiday to be  
1159 eligible for holiday pay. However, an employee who has successfully  
1160 completed at least five years of county service and who retires at the end  
1161 of a month in which the last regularly scheduled working day is observed  
1162 as a holiday, shall be eligible for holiday pay if the employee is in a pay  
1163 status the day before the day observed as a holiday. An employee  
1164 otherwise eligible for holiday pay shall not be ineligible as a result of not  
1165 being in a pay status on the day before or after the holiday due to  
1166 budgetary furlough.

1167 D. When a holiday falls on the scheduled day off of a full-time  
1168 employee entitled to comprehensive leave benefits who works other than a  
1169 five-day, eight-hour schedule, the employee shall be given a deferred  
1170 holiday. The employee and the employee's supervisor shall jointly select  
1171 another day, preferably within the same pay period, for the employee to  
1172 take as the holiday. Deferred holidays for a part-time employee eligible  
1173 for comprehensive leave benefits shall be prorated to the employee's  
1174 schedule.

1175 SECTION 14. Ordinance 12077, Section 5, as amended, and K.C.C.

1176 3.12.240, are each hereby amended to read as follows:

1177 ~~((Any))~~ A. An employee eligible for comprehensive leave benefits  
1178 who is ordered on a jury shall be entitled to the employee's regular county  
1179 pay but only if any fees received for jury duty are deposited, exclusive of  
1180 mileage, with the ~~((department of))~~ finance and business operations  
1181 division of the department of executive services.

1182 B. An employee who is not eligible for comprehensive leave benefits  
1183 shall be released, unpaid, from work duties for the duration of the  
1184 employee's jury duty, and may retain any fees paid for jury service.

1185 C. A furloughed employee shall not be eligible to take or be paid for  
1186 jury duty leave in lieu of taking a furlough day.

1187 D. Employees shall report to their work supervisor when dismissed  
1188 from jury service.

1189 SECTION 15. Ordinance 12014, Section 25, as amended, and K.C.C.

1190 3.12.250, are each hereby amended to read as follows:

1191 A. An employee eligible for comprehensive leave benefits may take a  
1192 leave of absence without pay for thirty calendar days or less if authorized  
1193 in writing by the employee's ~~((appointing authority))~~ division manager.

1194 B. An employee eligible for comprehensive leave benefits may take a  
1195 leave of absence without pay for more than thirty calendar days for  
1196 nonmedical reasons if authorized in writing by the employee's  
1197 ~~((appointing authority and the director))~~ division manager.

1198 C. An employee eligible for comprehensive leave benefits may take a

1199 leave of absence without pay for more than thirty days for medical reasons  
1200 if authorized in writing by the director.

1201 D. Leaves of absence without pay shall be for periods not to exceed  
1202 one year except that the director may, in special circumstances, grant an  
1203 extension beyond one year.

1204 ~~((D.))~~ E. Other employee benefits as provided in this chapter shall not  
1205 be provided to or accrue to the employee while on leave of absence  
1206 without pay, except as provided in K.C.C. 3.12.220 or K.C.C. 3.12.040.

1207 ~~((E.))~~ F. If a leave of absence without pay was granted for purposes  
1208 of recovering health, the employee shall be required ~~((by the director))~~ to  
1209 submit a physician's statement concerning the employee's ability to resume  
1210 duties prior to return to work.

1211 ~~((F.))~~ G. An employee on leave of absence without pay may return  
1212 from the leave before its expiration date if the employee provides the  
1213 ~~((appointing authority))~~ division manager with a written request to that  
1214 effect at least fifteen days prior to resuming duties.

1215 ~~((G.))~~ H. Failure to return to work by the expiration date of a leave of  
1216 absence without pay shall be cause for removal and shall result in  
1217 automatic termination of the employee from county service.

1218 ~~((H.))~~ I. A leave of absence without pay may be revoked by the  
1219 employee's division manager or the director upon evidence submitted to  
1220 the director by the ~~((appointing authority))~~ division manager of the  
1221 employee indicating that such leave was requested and granted under false

1222 pretenses, or that the need for such leave has ceased to exist.

1223 SECTION 16. Ordinance 12498, Sections 1 and 4 through 7, as  
1224 amended, and K.C.C. 3.12.335, are each hereby amended to read as  
1225 follows:

1226 A. It is the policy of King County to provide opportunities for paid,  
1227 competitive employment for individuals with developmental disabilities,  
1228 as defined in this chapter, in integrated work settings. The executive shall  
1229 seek the cooperation, assistance and participation of all county  
1230 departments in the successful implementation of this policy.

1231 B. Persons with developmental disabilities as defined in RCW  
1232 71A.10.020(((2)))(5), as amended, shall be eligible for supported  
1233 employment pursuant to this section.

1234 C. The ~~((department of community and))~~ human ~~((services))~~  
1235 resources management division, or its successor agency, is designated as  
1236 the lead agency responsible for the management of the supported  
1237 employment ~~((initiative))~~ program, with technical support provided by the  
1238 developmental disabilities division, or its successor agency.

1239 D. The executive is authorized to adopt administrative rules to  
1240 implement this section pursuant to K.C.C. 3.12.350.

1241 SECTION 17. Ordinance 12014, Section 50, as amended, and K.C.C.  
1242 3.15.020, are each hereby amended to read as follows:

1243 This section applies to all positions in the executive branch,  
1244 noncommissioned positions in the office of the sheriff and the department

1245 of assessments allocated to a classification approved by the council.

1246 A.1. Except as otherwise provided by ordinance, the schedule of pay  
1247 ranges shall consist of ninety-nine pay ranges, each containing ten steps as  
1248 approved by ordinance annually.

1249 2. On a continuing three-year cycle, the executive shall assess  
1250 market conditions and determine whether to make adjustments, if any, to  
1251 pay ranges assigned to existing classifications.

1252 B.1. The director may reassign pay ranges to existing classifications.

1253 2. When the director adjusts the pay range of a classification, the  
1254 incumbent employee shall be placed at the same step in the new pay range  
1255 as the employee was in the previous pay range.

1256 3. Implementation of any pay range adjustment shall be prospective  
1257 and shall take effect at the start of the pay period following the approval  
1258 by the director or, if required by K.C.C. 3.15.040, by the appropriate  
1259 council committee.

1260 C. Consistent with K.C.C. 3.12.350, the ~~((manager of the human~~  
1261 ~~resources management division))~~ director shall establish guidelines for pay  
1262 increases in accordance with the following:

1263 1. Employees may receive within-range increases from one step to  
1264 the next higher step upon satisfactory completion of the probationary  
1265 period. All probationary-period pay increases must be supported by  
1266 documented performance appraisal. Probationary-period pay increases  
1267 exceeding Step 5 must have prior written approvals by the department

1268 director and the ~~((manager of the human resources management division))~~  
1269 director. ~~((In the event of the completion of the probationary period by))~~  
1270 When a division of human resources employee completes the employee's  
1271 probationary period, the county administrative officer must provide prior  
1272 written approval for probationary-period pay increases exceeding Step 5;

1273 2. Employees may be eligible to receive increases annually in  
1274 accordance with the following principles:

1275 a. An incentive increase must be supported by an annual  
1276 documented performance appraisal approved by the department director  
1277 ~~((or designee))~~ and the documented performance appraisal must be  
1278 maintained in the employee's personnel file. Incentive increases shall be  
1279 prospective only and shall be effective on January 1 following the year on  
1280 which the appraisal was based;

1281 b. For employees currently in Steps 1 through 4 in the pay range,  
1282 the appointing authority may grant an increase of a single step for standard  
1283 performance and may grant an increase exceeding a single step for above-  
1284 standard or outstanding performance, as defined by the ~~((manager of the~~  
1285 ~~human resources management division))~~ director;

1286 c. For employees currently in Steps 5 through 7 in the pay range,  
1287 the appointing authority may grant an increase of one or more steps for  
1288 above-standard performance; and

1289 d. For employees currently in Steps 8 through 9 in the pay range,  
1290 the appointing authority may grant an increase of one step, not to exceed

1291 the top of the pay range, for outstanding performance;

1292 3. An appointing authority may grant an employee incentive pay up  
1293 to five percent above the top step of the range for a period of twelve  
1294 months, if all of the following conditions are met:

1295 a. the employee is not a department director;

1296 b. the employee has been at the top step of the prior or current  
1297 range for two years before the award of the increase; and

1298 c. the employee has demonstrated continuous outstanding  
1299 performance;

1300 4. All incentive increases are subject to the availability of funds.

1301 Within-range incentive increases are not automatic but shall be given only  
1302 upon the written direction of the appointing authority, as defined in K.C.C.  
1303 3.12.010.B., within the guidelines established by the ~~((manager of the~~  
1304 ~~human resources management division;))~~ director.

1305 ~~((5.a. When the manager of the human resources management~~  
1306 ~~division reclassifies a position to a higher classification, the pay rate of the~~  
1307 ~~incumbent employee shall be increased to the first step of the pay range of~~  
1308 ~~the new classification or the nearest step that constitutes an increase of no~~  
1309 ~~more than five percent above the former rate of pay, whichever is greater.~~

1310 ~~—— b. A pay increase as a result of reclassification may not exceed the~~  
1311 ~~top step of the new range, unless the employee's former pay includes an~~  
1312 ~~above-Step 10 amount as a result of an incentive increase. If the~~  
1313 ~~employee's former pay includes an above-Step 10 amount as a result of an~~

1314 incentive increase, the employee's new pay is calculated upon the above-  
1315 Step-10 amount. If the increase from reclassification results in pay that is  
1316 above the top step of the new range, the pay shall be reduced to the top  
1317 step of the new range at the end of the incentive period unless the  
1318 employee requalifies for an above-Step-10 incentive award.

1319 ~~—— c. Implementation of a reclassification and any related pay change~~  
1320 ~~shall be prospective and is effective when the classification is approved by~~  
1321 ~~the manager of the human resources management division. The pay~~  
1322 ~~increase as a result of reclassification may not exceed five percent above~~  
1323 ~~the top step in any case; and~~

1324 ~~—— 6. When the manager of the human resources management division~~  
1325 ~~adjusts the pay range of a classification, the incumbent employee shall be~~  
1326 ~~placed at the same step in the new pay range as the employee was in the~~  
1327 ~~previous range. Implementation of any pay range adjustment shall be~~  
1328 ~~prospective and is effective when approved by the manager of the human~~  
1329 ~~resources management division or, if required by K.C.C. 3.15.040, by the~~  
1330 ~~labor, operations and technology committee or its successor committee.))~~

1331 SECTION 18. Ordinance 12014, Section 52, as amended, and K.C.C.  
1332 3.15.030, are each hereby amended to read as follows:

1333 A. The ~~((manager of the human resources management division))~~  
1334 director may reclassify any position to an existing or new classification  
1335 ~~((and reassign pay ranges to existing classifications)).~~

1336 B. An employee or a group of employees may request that a position

1337 or group of positions be reclassified for the following reasons:

1338 1. The employee's position is not assigned to the appropriate

1339 classification;

1340 2. A significant or gradual change has occurred in the employee's

1341 on-going duties or responsibilities over a period of at least one-year; or

1342 3. A departmental reorganization or council action has caused the

1343 duties of the position to change.

1344 C. Group reclassifications may be submitted if all of the employees'

1345 positions are in the same classification in the same section of a division.

1346 The director shall evaluate each position individually, reserving the right

1347 to place individual positions into different classifications.

1348 D. An employee is not eligible to submit a reclassification request if:

1349 1. It has been less than twelve months since the date of a previous

1350 classification determination for the position;

1351 2. The employee is on probation;

1352 3. The employee is on a performance improvement plan; or

1353 4. The employee is asking for the reclassification of a special duty

1354 position.

1355 E. When the director reclassifies a position to a higher classification,

1356 the pay rate of the incumbent employee shall be increased to the first step

1357 of the pay range of the new classification or the step that is at least five

1358 percent above the former rate of pay, whichever is greater.

1359 F. When the director reclassifies a position to a lateral classification,

1360 the pay rate of the incumbent employee shall remain at the same step of  
1361 the pay range.

1362 G. When the director reclassifies a position to a lower classification,  
1363 the pay rate of the incumbent employee shall be the highest step in the  
1364 new pay range that does not exceed the employee's current pay rate.

1365 H. A pay increase as a result of a reclassification may not exceed the  
1366 top step of the new range, unless the employee's former pay includes  
1367 above-Step-10 incentive pay. If the employee's former pay includes an  
1368 above-Step-10 incentive pay, the employee's new pay is calculated upon  
1369 the above-Step-10 amount. If the increase from reclassification results in  
1370 pay that is above the top step of the new range, the pay shall be reduced to  
1371 the ((s))top step of the new range at the end of the incentive period, unless  
1372 the employee requalifies for an above-Step-10 incentive award.

1373 I. Implementation of a reclassification and any related pay change  
1374 shall be effective at the start of the pay period following receipt of the  
1375 completed reclassification request form at the human resources  
1376 management division or its successor agency; except a reclassification to a  
1377 lower pay grade shall be effective at the start of the pay period at least  
1378 thirty calendar days after notification of the classification determination  
1379 from the human resources management division or its successor agency.

1380 J. A reclassified employee shall not serve a probationary period in the  
1381 new classification.

1382 K. 1. When an employee's position is reclassified retroactively into a

1383 classification with a different FLSA status, the change in FLSA status  
1384 shall be prospective only.

1385 2. When an employee's position is reclassified from a FLSA-exempt  
1386 classification to an FLSA non-exempt classification, the employee will be  
1387 paid overtime pay from the date of the reclassification decision.

1388 3. When an employee's position is reclassified from a FLSA non-  
1389 exempt classification to a FLSA-exempt classification, the employee shall  
1390 receive a cash out of all accrued compensatory time.

1391 SECTION 19. Ordinance 14233, Section 6, as amended, and K.C.C.  
1392 3.15.130, are each hereby amended to read as follows:

1393 A.~~((+))~~ If a promotion results from something other than a  
1394 reclassification, the pay rate of the incumbent employee shall be increased  
1395 to the first step of the pay range of the new classification or the step that is  
1396 at least five percent above the former rate of pay, whichever is greater.  
1397 The promoted employee may be placed at a higher step in the pay range if  
1398 the employee's department director determines the action is warranted, if  
1399 the criteria and procedures in K.C.C. 3.15.120 are met and if funds are  
1400 available in the agency.

1401 B. A pay increase as a result of ~~((reclassification))~~ a promotion may  
1402 not exceed the top step of the new range, unless the employee's former pay  
1403 includes an above-Step-10 amount as a result of an incentive increase. If  
1404 the employee's former pay includes ~~((an))~~ above-Step-10 ~~((amount-as-a~~  
1405 ~~result-of-an))~~ incentive ~~((increase))~~ pay, the employee's new pay is

1406 calculated upon the above-Step-10 amount. If the increase from  
1407 ~~((reclassification))~~ a promotion results in pay that is above the top step of  
1408 the new range, the pay shall be reduced to the top step of the new range at  
1409 the end of the incentive period unless the employee requalifies for an  
1410 above-Step-10 incentive award.

1411 ~~((2-))~~ C. Implementation of a ~~((reclassification))~~ promotion and any  
1412 related pay change shall be prospective and is effective when the  
1413 ~~((classification))~~ promotion is approved by the ~~((manager of the human~~  
1414 ~~resources management division. The pay increase as a result of~~  
1415 ~~reclassification may not exceed five percent above the top step in any~~  
1416 ~~ease.~~

1417 ~~— B. If a promotion results from something other than a reclassification,~~  
1418 ~~the promoted employee may be placed at a higher step in the pay range~~  
1419 ~~when the department director determines this action is warranted, if the~~  
1420 ~~criteria and procedures in K.C.C. 3.15.120 are met and if funds are~~  
1421 ~~available in the agency)) director.~~

1422 SECTION 20. Ordinance 14233, Section 7, as amended, and K.C.C.  
1423 3.15.140, are each hereby amended to read as follows:

1424 A.1. A~~((n appointing authority, with the prior written approval of~~  
1425 ~~the))~~ department director and, when required, ~~((the manager of the human~~  
1426 ~~resources management division and the county administrative officer))~~ the  
1427 director of the human resources management division or its successor  
1428 agency may assign an employee in a regular position to an existing higher-

1429 level classification for a limited term when the higher-level duties and  
1430 responsibilities comprise the majority of the work performed for a  
1431 minimum of thirty calendar days.

1432 2. Temporary employees, including term-limited temporary  
1433 employees, are not eligible for special duty assignments.

1434 B. Depending upon the type of special duty assignments needed for  
1435 business operations, special duty assignments may be made for ~~((up to~~  
1436 ~~twelve months, up to three year, and))~~ up to a maximum of five years~~((;~~  
1437 ~~respectively))~~.

1438 1. ~~((In cases where a special duty assignment is made to provide for~~  
1439 ~~additional staffing at a higher level, the a))~~ Assignments may be approved  
1440 for up to a term of twelve months ~~(([but only]))~~ if ~~((: a. the assignment~~  
1441 ~~is))~~ authorized in advance ~~((in writing))~~ by the department director to  
1442 backfill for a vacant regular position, or to provide additional staffing  
1443 needed~~((; and))~~:

1444 ~~((b.))~~ a. ~~((the assignment is needed for))~~ due to work that exceeds  
1445 either the volume or complexity, or both, than what is routinely expected,  
1446 but the work is of a limited duration ~~(( and is not ongoing))~~;

1447 b. ~~((the assignment is needed for))~~ due to work ~~((which))~~ that is  
1448 unanticipated due to unique circumstances ~~((which))~~ that are not expected  
1449 to reoccur; or

1450 c. ~~((the assignment is needed))~~ to either develop or implement, or  
1451 both, a new function, system~~((;))~~ or proposal ~~((within a division))~~.

1452           2. Assignments may be approved for up to a term of up to three  
1453 years if authorized in advance by the director to perform a significant or  
1454 substantial body of work, such as a non-routine project or work related to  
1455 the initiation or cessation of a county function, project or department.

1456           3. Assignments may be approved for up to a term of five years if  
1457 authorized in advance in writing by the director:

1458           a. ~~((In cases where a special duty assignment is made))~~ to backfill a  
1459 regular position, ~~((the assignment may be approved for up to a term of~~  
1460 ~~three years, but only if:~~

1461           ~~a. the backfill assignment is authorized in advance in writing by~~  
1462 ~~the department director and the county administrative officer based upon a~~  
1463 ~~specific determination that a special duty assignment continues to meet the~~  
1464 ~~requirements in this chapter and that a position reclassification is not~~  
1465 ~~appropriate;~~

1466           ~~b. the assignment is made to backfill))~~ when:

1467           (1) an ~~((incumbent))~~ employee ~~((who))~~ is absent because of an  
1468 extended leave of absence for a medical reason~~((, as required under~~  
1469 ~~applicable county, state or federal law))~~);

1470           (2) an ~~((incumbent))~~ employee ~~((who))~~ is absent because of  
1471 military ~~((f))~~ service ~~((f))~~; or

1472           (3) an ~~((incumbent))~~ employee ~~((who))~~ is absent because of  
1473 ~~((assignment to))~~ a special duty or another assignment; and

1474           b. to staff or backfill staff on a clearly defined grant-funded, capital

1475 improvement, or information systems technology project.

1476 ((3-)) 4. ((in no cases, may the)) A special duty backfill assignment  
1477 may not exceed the term of the incumbent employee's absence.

1478 ((4. In cases where a special duty assignment is made for the  
1479 performance of a project necessitating a higher level of work, the  
1480 assignment may be approved for up to a term of three years, but only if:

1481 — a. the project assignment is authorized in advance in writing by the  
1482 department director, the manager of the human resources management  
1483 division and the county administrative officer based upon a specific  
1484 determination that a special duty assignment continues to meet the  
1485 requirements in this chapter and that a position reclassification is not  
1486 appropriate; and

1487 — (1) the project is clearly defined, a project plan has been  
1488 developed or the employee will develop a project plan;

1489 — (2) the project has a beginning and end date of three years or less;

1490 — (3) the employee will perform duties that are primarily related to  
1491 a single specifically defined project; and

1492 — (4) the employee is performing non-routine work for a project  
1493 outside of the regular scope of the normal division functions.

1494 — 5. In cases where a special duty assignment is made to staff or to  
1495 backfill staff on a grant-funded, capital improvement, or information  
1496 systems technology project necessitating a higher level of work, the  
1497 assignment may be approved for up to a term of three years and, upon

1498 ~~justification, extended an additional two years up to a term of five total~~  
1499 ~~years, but only if:~~

1500 ~~—— a. the project assignment is authorized in advance in writing by the~~  
1501 ~~department director, the manager of the human resources management~~  
1502 ~~division and the county administrative officer based upon a specific~~  
1503 ~~determination that a special duty assignment continues to meet the~~  
1504 ~~requirements in this chapter and that a position reclassification is not~~  
1505 ~~appropriate; and~~

1506 ~~—— b. the assignment is made to a clearly defined project with a~~  
1507 ~~limited term and a definite termination date; or the assignment is made to~~  
1508 ~~backfill staff on the project.)~~

1509 5. Special duty assignments to salaried classifications shall be made  
1510 in full-week increments, from Saturday through Friday.

1511 6. An employee's special duty assignment shall end when  
1512 management becomes aware that the employee's absence will exceed  
1513 thirty calendar days or at the conclusion of a thirty-day absence,  
1514 whichever occurs first.

1515 C. A special duty assignment must be made in writing to the  
1516 employee before the beginning of the assignment. The written notice must  
1517 provide the classification title and description and must list the specific  
1518 duties that the employee is to perform and the duration of the assignment.  
1519 The written notice must also include a statement that the assignment  
1520 ((will)) does not confer on the employee any new privilege, right of

1521 appeal, right of position, transfer, demotion, promotion or reinstatement.  
1522 A special duty assignment may be revoked at any time at the discretion of  
1523 the appointing authority. Special duty pay may not be assigned  
1524 retroactively.

1525 D. The special duty increase shall be to the first step of the pay range  
1526 of the ~~((existing))~~ higher-level job classification or ~~((to a pay step in the~~  
1527 ~~existing higher classification that provides an increase of approximately))~~  
1528 a flat five percent above the ~~((former))~~ base rate of pay, whichever is  
1529 greater.

1530 E. ~~((Special duty compensation may not exceed the top step of the~~  
1531 ~~new range+))~~ If the employee was receiving above-Step-10 incentive pay,  
1532 the pay for the special duty assignment is calculated using the incentive  
1533 pay and may result in incentive pay while in the special duty assignment.  
1534 ~~((In those instances, the pay may exceed the maximum of the new pay~~  
1535 ~~range by no more than five percent and shall continue only as long as the~~  
1536 ~~incentive pay would have remained in effect.))~~

1537 F. While on special duty assignment, the employee shall continue to  
1538 be eligible for step increases in the employee's regular position. If the  
1539 employee is at Step-10 in the employee's regular position, the employee  
1540 shall be eligible for step increases in the special duty classification.

1541 G. Any accrued compensatory time shall be cashed out before an  
1542 hourly employee begins a salaried special duty assignment, and before an  
1543 employee in an hourly special duty assignment returns to a salaried regular

1544 position.

1545 ((F.)) H. When the special duty assignment is completed, the  
1546 employee's pay shall revert to the pay rate the employee would have  
1547 received if the employee had not been assigned to special duty.

1548 ((G.)) I. Special duty pay shall not be considered part of an  
1549 employee's base pay rate for purposes of placement within a salary range  
1550 as a result of promotion or reclassification, for purposes of cashing out  
1551 vacation or sick leave or when making vacation or sick leave donations.

1552 J. When the special duty assignment is hourly, the employee's special  
1553 duty pay will be used for the computation of overtime and compensatory  
1554 time.

1555 ((H.)) K. If the special duty position is converted to a regular position  
1556 and the employee who served in the special duty position is hired into the  
1557 regular position, the time served in the special duty position will count  
1558 toward any required probationary period. If the time served in the special  
1559 duty position was longer than the required probationary period, the  
1560 employee's probationary period shall be considered served.

1561 L. The executive shall notify the council each year in writing of the total  
1562 number of county employees on special duty assignment by department.  
1563 The executive shall file a paper original and electronic copy of each  
1564 memorandum with the clerk of the council, who shall retain the original  
1565 and provide an electronic copy to all councilmembers and the lead staff for  
1566 the government accountability and oversight committee or its successor.

1567            NEW SECTION. SECTION 21. There is hereby added to K.C.C.

1568 chapter 3.15 a new section to read as follows:

1569            A. For the purposes of this section, "working out of classification"  
1570 means an employee in a regular position is assigned in writing some or all  
1571 of the duties of a higher-paid classification for a period of less than thirty  
1572 calendar days.

1573            B. Working-out-of-classification assignments must occur in full day  
1574 or full shift increments.

1575            C. While working out of classification, the employee shall receive a  
1576 flat five percent pay premium. Any overtime the employee earns while  
1577 working out of classification shall include the five percent premium. Paid  
1578 leaves taken while an employee is working out of classification shall not  
1579 include the pay premium.

1580            D. If a working-out-of-classification assignment exceeds twenty-nine

1581 consecutive calendar days, the assignment shall be prospectively  
1582 converted to a special duty assignment.

Ordinance 18727 was introduced on 2/26/2018 and passed by the Metropolitan King County Council on 5/7/2018, by the following vote:

Yes: 9 - Mr. von Reichbauer, Mr. Gossett, Ms. Lambert, Mr. Dunn,  
Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles  
and Ms. Balducci  
No: 0  
Excused: 0

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

J. Joseph McDermott, Chair

ATTEST:

Melani Pedroza, Clerk of the Council



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CLERK

APPROVED this 16 day of MAY 2018.

Dow Constantine, County Executive

Attachments: None